

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KEDRIC CRAWFORD

Plaintiff,

v.

CITY OF BAYTOWN, KEITH

DOUGHERTY, TEDDY

SIMS, AND OFFICER DOE.

Defendant.

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Civil Action No. 4:20-cv-03003

CITY OF BAYTOWN'S INITIAL DISCLOSURES

- (a) the name and, if known, the address and telephone number of each individual likely to have information the disclosing party may use to support its defense, unless solely for impeachment, identifying the subject of the information.

Officer Teddy Sims

c/o Norman Ray Giles & William S. Helfand

Lewis Brisbois Bisgaard & Smith

24 Greenway Plaza, Suite 1400

Houston, TX 77046

Officer Teddy Sims is a Defendant in this lawsuit who has information he may use to support his defense and refute plaintiff's claims and allegations, including the basis for Officer Sims' interactions with plaintiff and others during the occurrences which form the basis of the lawsuit; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Chief of Police Keith Dougherty

Baytown Police Department

3200 N. Main Street

Baytown, TX 77521

(281) 422-8371

Keith Dougherty is the chief of the Baytown police department and a Defendant in this lawsuit although he has not been served. He has information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding City policy and police department regulations; standards and training provided through the Texas Commission on

Law Enforcement; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Sergeant Ivan Martinez
Baytown Police Department
3200 N. Main Street
Baytown, TX 77521
(281) 422-8371

Supervisor Ivan Martinez performed an investigation of the occurrences which form the basis of this lawsuit so he has information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding his investigation; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Officer Austin Lovell
Officer Bryce Perkins
Officer Nathaniel Brown
Officer Alyssa McDaniel
Officer Bret Rasch
Officer Samuel Serrett
Detention Officer Kevin Dunlap
Detective John Lunsford
Detective Michael Farabee

Baytown Police Department
3200 N. Main Street
Baytown, TX 77521
(281) 422-8371

These former and current officers of the Baytown Police Department were present during a portion of the incident made the basis of this lawsuit including assisting in the arrest of Plaintiff, the transport of Plaintiff to Ben Taub Hospital, transportation of records and evidence, so they are likely to have information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding the actions of officers, plaintiff, and others during the occurrence which forms the basis of the lawsuit; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Assistant District Attorney, Michael Levine
Assistant District Attorney, Patrick Stayton

Harris County District Attorney's Office
500 Jefferson Street

Houston, Texas 77002
(713) 274-5800

Assistant District Attorney, Michael Levine and Patrick Stayton were reportedly present during some of occurrences which form the basis of the lawsuit so they are likely to have information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding the actions of officers, plaintiff, and others during the occurrence which forms the basis of the lawsuit; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Shane P. Jenks, MD
Itzayna Sosa
Diana Evelyn Bonilla, LVN
Rosanna C. Cabrera
Analisia M. Stewart, Resident MD
Nikita Consul, MD
Cynthia Vega
Desencia E. Thomas, MD
Florencia Pacchioni
Christie M. Lincoln, MD
Daniel Jake Alanis, RN
Megan G. Blue, RN
Ynhi T. Thomas, Resident MD
Nkele A. Davis, Resident MD
Chun Yong Lee, Resident MD
Brooke A. Thawley, RN
Jannine A. Siy, RN
Amanda M. Reynado, PA
Victoria A. Manon, DDS
Mina M. Naguib, Resident MD
Bang K. Cao
Cyndie Dallaire-Giroux, DMD
Marwan Yared, MD
Zenaida Alabbasi, RN
Katherine Williams, Resident MD
Sanjai Nagendra, MD

Ben Taub Hospital, Harris Health System
Emergency Department
1504 Taub Loop
Houston, Texas 77030
(713) 873-2000

These employees of Ben Taub Hospital are believed to have provided medical assessment and care to plaintiff so representatives from that Department are likely to have information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding plaintiff's condition and the assessment and care of the plaintiff; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

LaToya Binder, B.S., F-ABC

Harris County Institute of Forensic Sciences
1861 Old Spanish Trail
Houston, Texas 77054-2001
(832) 927-5005

LaToya Binder is a Forensic Chemist of the Harris County Institute of Forensic Sciences is believed to have provided a drug chemistry report, so representatives from that Department are likely to have information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding plaintiff's condition and the assessment and care of the plaintiff; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Kedric Crawford

c/o U.A. Lewis
The Lewis Law Group

Kedric Crawford is the plaintiff in this lawsuit. Therefore, he is likely to have information defendants may use to support their defense and refute plaintiff's claims and allegations, including information regarding plaintiff's claimed harm and damages, actions of officers, plaintiff, and others during the occurrence which forms the basis of the lawsuit; as well as information regarding items, documents or tangible things relevant to defendants' defense and plaintiff's claims and allegations.

Any other individual plaintiff or co-defendant discloses, or identifies in response to an interrogatory, as having knowledge of relevant facts.

- (b) A copy – or a description by category and location – of all documents, electronically stored information, and tangible things defendants have in their possession, custody, or control and may use to refute plaintiff's allegations and claims, and support a defendant's defense unless solely for impeachment.

Although the Plaintiff failed to disclose any document or tangible thing, the following items are believed to be in plaintiff's possession:

1. Each item in plaintiff's possession obtained during any criminal prosecution or investigation based on the facts which form the basis of this lawsuit;
2. Each item in plaintiff's possession obtained through a request under the Texas Public Information Act, or a request for judicial information, regarding the facts which form the basis of this lawsuit;
3. Each document or tangible thing disclosed under Rule 26, admitted into evidence as an exhibit to a dispositive motion filed, or identified through responses to interrogatories or responses to requests for production by any party to this lawsuit; and
4. Each other item in plaintiff's possession responsive to a discovery request served on the plaintiff in this litigation that is within the scope of permissible discovery in this suit.

The following item is publicly available:

Rules, regulations and statutes pertaining to the Texas Commission on Law Enforcement.
(<http://tcole.texas.gov/>)

The following additional item is available from its publisher:

The Texas Peace Officer, THE BASIC TRAINING COURSE, by Larry Nichols, Ray K. Robbins and Donald B. Harrelson, McCutchen Publishing Corp., 3220 Blume Dr., Suite 197, Richmond, CA 94806

The City offered to disclose to the Plaintiff the police department investigation and related documents for the purpose of this litigation under a protective order but the Plaintiff has refused not to publicly release records related to an ongoing criminal investigation.

The City of Baytown is ready and willing to produce the following records subject to the agreement referenced above:

General Offense Hardcopy BPD-Crawford 00001-00026

Taser Report 00027-00030

CAD Call HardCopy 00031-00044

Evidence Submission form 00045-00046

Drug Chemical Report 00047-00048

Grand Jury Subpoenas 00049-00059

**Use of Force Policy, Traffic Stops Procedures, Arrest Procedures, Code of Conduct
00057-00112**

City Hall Personnel File of Officer Sims 00113-00133

TCOLE Summary of Officer Sims 00134-00138

12 Videos not individually bates stamped as the documents are electronic

**Any other document, electronically stored information, and/or tangible thing plaintiff
has disclosed plaintiff may use to refute a defendant's defense or support plaintiff's
claim(s), unless solely for impeachment.**

(c) a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34, the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and event of the injury suffered.

Not applicable to this Defendant.

(d) for inspection and copying, as under Rule 34, any insurance agreement under which any person carrying on insurance business may be liable to satisfy part or all of the judgment which may be entered on the action or to indemnify or reimburse for payments made to satisfy the judgment.

None.

Respectfully submitted,

/s/ Steven D. Selbe

STEVEN D. SELBE

SBN: 18004600

S.D. No. 18003

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Attorney in Charge

Heidi J. Gumienny

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Facsimile: (713) 961-3938

**ATTORNEYS FOR DEFENDANT CITY OF
BAYTOWN**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically on the 15th day of September, 2020, and is available for viewing and downloading from the ECF system. Notice of Electronic Case Filing has been sent automatically to all parties listed in the Service List in effect on the date of electronic filing, which constitutes service of same, and satisfies the requirements of Fed. R. Civ. P. 5(b)(2)(D).

/s/ Steven D. Selbe
STEVEN D. SELBE